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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/939,227	08/24/2001	David Eugene Hirth	284-09555-US	4072	
	7590 10/08/201 nar and Tyler, PC	0	EXAMINER		
P.O. Box 42123	39		THOMPSON, KENNETH L		
Houston, TX 77	/ <b>24</b>		ART UNIT	PAPER NUMBER	
			3672		
			NOTIFICATION DATE	DELIVERY MODE	
			10/08/2010	ELECTRONIC	

## Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)	
Evaminar-Initiated Interview Summary	-Initiated Interview Summary 09/939,227 HIRTH, DAVID		EUGENE
Examiner-initiated interview duminary	Examiner	Art Unit	
	Kenneth Thompson	3672	
All Participants:	Status of Application: <u>Rei</u> <u>SPRE approval</u>	ssue claims allo	owed pending
(1) <u>Kenneth Thompson</u> .	(3)		
(2) <u>Steve Rosenblatt</u> .	(4)		
Date of Interview: 21 September 2010	Time:		
Type of Interview:  ☐ Telephonic ☐ Video Conference ☐ Personal (Copy given to: ☐ Applicant ☐ Applicated: ☐ Yes ☐ No ☐ If Yes, provide a brief description: .	cant's representative)		
Part I.			
Rejection(s) discussed: N/A			
Claims discussed: 1-36			
Prior art documents discussed: N/A			
Part II.			
SUBSTANCE OF INTERVIEW DESCRIBING THE GEN See Continuation Sheet	ERAL NATURE OF WHAT WAS	DISCUSSED:	
Part III.			
<ul> <li>It is not necessary for applicant to provide a separate directly resulted in the allowance of the application. T of the interview in the Notice of Allowability.</li> <li>It is not necessary for applicant to provide a separate did not result in resolution of all issues. A brief summand</li> </ul>	he examiner will provide a writte e record of the substance of the	en summary of interview, since	the substance
/Kenneth Thompson/ Primary Examiner, Art Unit 3672	(Applicant/Applicant's Representat	ive Signature – i	appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Applicant's attorney and the examiner agreed to an examiner's amendment to the claims to show underlined and strikethrough of all limitations added or deleted. Please note attached claims.

Applicants's attorney and the examiner discussed whether the application is abandoned because a final rejection was issued on 2 February 2010. Applicants indicated that a response to the final rejection was made 12 April 2010 that addressed the only requirement, a supplemental declaration, in the final rejection barring allowance of the application. Applicants's attorney and the examiner discussed whether the reissue application was guitly of recapture. Applicant's attorney reminded the examiner that the issue was refuted in an Appeal Brief filed 8 August 2003 in response to a final rejection made by a previous examiner, now retired, that included a 35 USC 251 rejection of the new claims 21-36. Applicants stated that an examiner's answer was not received nor did the application proceed to the Board of Appeals and Interferences, and additionally; that the previous examiner re-opened prosecution without addressing the arguments traversing the recapture rejection. The current examiner reviewed the arguments and after further research agreed. Applicants attorney and the examiner agreed that no evidence supporting guilt of recapture has been presented nor is of record that would refute applicants arguments outlined in the Appeal Brief.

Applicants attorney and the examiner discussed whether the error was improper. All agreed that the broadening reissue presented claims directed to the non-metallic landing collar or the apparatus for selective obstruction of a tubular by holding an object thereon as claimed.